

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIAM COWAN,

Plaintiff,

v.

TRENT MILLER, ET AL.,

Defendants.

Case No. 15-cv-12428

UNITED STATES DISTRICT COURT JUDGE
GERSHWIN A. DRAIN

UNITED STATES MAGISTRATE JUDGE
ANTHONY P. PATTI

**ORDER GRANTING PLAINTIFF'S MOTION FOR VOLUNTARY DISMISSAL OF
DEFENDANT MDOC [44] AND DENYING DEFENDANT MDOC'S MOTION TO
DISMISS AS MOOT [30]**

This matter is before the Court on Plaintiff's Motion to Voluntarily Dismiss the Michigan Department of Corrections (MDOC) as a defendant from the present suit, based on MDOC's Eleventh Amendment immunity. *See* Dkt. No. 44. Plaintiff's Motion [44] is **GRANTED**.

Accordingly, as MDOC is no longer a defendant in the case, its previously filed Motion to Dismiss [30], based on Eleventh Amendment immunity, is **DENIED** as moot.

IT IS SO ORDERED.

Dated: July 7, 2016
Detroit, Michigan

s/Gershwin A. Drain
GERSHWIN A. DRAIN
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on **July 7, 2016.**

s/Tanya R. Bankston
TANYA R.BANKSTON
Case Manager & Deputy Clerk